

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

|                                      |   |                           |
|--------------------------------------|---|---------------------------|
| <b>RICHARD ANDRUS,</b>               | : |                           |
|                                      | : |                           |
| <b>Plaintiff,</b>                    | : |                           |
|                                      | : |                           |
| <b>v.</b>                            | : | <b>C.A. No. 07-486***</b> |
|                                      | : |                           |
| <b>CITY OF WILMINGTON; CITY OF</b>   | : |                           |
| <b>WILMINGTON POLICE DEPARTMENT;</b> | : |                           |
| <b>CORPORAL HENRY CANNON;</b>        | : |                           |
| <b>OFFICER CPL. CHRIS CONNELLY;</b>  | : |                           |
| <b>OFFICER MARTY STORY;</b>          | : |                           |
| <b>OFFICER STEPHEN BROCK; and</b>    | : |                           |
| <b>OFFICER JEFFREY GLENN,</b>        | : |                           |
|                                      | : |                           |
| <b>Defendants.</b>                   | : |                           |

**DEFENDANTS' INITIAL DISCLOSURES  
PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 26(a)(1)**

Pursuant to Federal Rule of Civil Procedure 26(a)(1), Defendants submit these initial disclosures based on information reasonably available at the time of submission. Defendants reserve the right to supplement these disclosures and to object to any disclosures based on appropriate grounds.

**1. The name and, if known, the address and telephone number of each individual likely to have discoverable information – along with the subjects of that information – that the disclosing party may use to support its claims or defenses, unless the use would be solely for impeachment:**

- (a) The parties.
- (b) Jeffrey Gliem, Delaware State Police
- (c) Sgt. Mark Lemon, Wilmington Police Department, 300 N. Walnut Street, Wilmington, DE 19801, (302) 576-3940
- (d) Lieutenant William Browne, Wilmington Police Department, 300 N. Walnut Street, Wilmington, DE 19801, (302) 576-3940

- (e) M/Sgt. Paul Reutter, Wilmington Police Department, 300 N. Walnut Street, Wilmington, DE 19801, (302) 576-3940
- (f) Captain Nancy Dietz, Wilmington Police Department, 300 N. Walnut Street, Wilmington, DE 19801, (302) 576-3940
- (g) Loretta Thompson, Correctional Counselor, Delaware Correctional Center, 1181 Paddock Road, Smyrna, DE 19977, (302) 653-9261
- (h) Audrey Andrus, address unknown, (302) 998-7430
- (I) Robin Redman, Connections Community Support Program Inc., 500 W. 10<sup>th</sup> Street, Wilmington, DE 19801, (302) 250-5823
- (j) David Lynch, Connections Community Support Program Inc., 500 W. 10th Street, Wilmington, DE 19801, (302) 250-5815
- (k) Dr. John Carroll, Connections Community Support Program Inc., 500 W. 10th Street, Wilmington, DE 19801, (302) 984-3380 x209
- (l) Jeanne Muller, Connections Community Support Program Inc., 500 W. 10th Street, Wilmington, DE 19801, (302) 984-3380 x115
- (m) Tia Jackson, Connections Community Support Program Inc., 500 W. 10th Street, Wilmington, DE 19801, (302) 984-3380 x168
- (n) Betty Jean Scott, Connections Community Support Program Inc., 500 W. 10th Street, Wilmington, DE 19801, (302) 984-3380 x100

**2. A copy – or a description by category and location – of all documents, electronically stored information, and tangible things that the disclosing party has in its possession, custody, or control and may use to support its claims or defenses, unless the use would be solely for impeachment:**

- (a) Initial Crime Report prepared by Cpl. Chris Connelly
- (b) Supplemental Crime Reports prepared by Ptlm. Jeffrey Gliem, Ptlm. Stephen Brock, Ptlm. Marty Story, and M/Cpl. Henry Cannon,
- (c) Wilmington Police Department Defensive Tactics Report prepared by M/Sgt. Mark Lemon

- (d) Memoranda exchanged between M/Sgt. Mark Lemon and M/Sgt. Paul Reutter regarding the Use of Force Investigation.
  - (e) M/Cpl. Henry Cannon's First Report of Injury.
3. **A computation of each category of damages claimed by the disclosing party – who must also make available for inspection and copying as under Rule 34 the documents or other evidentiary material, unless privileged or protected from disclosure, on which each computation is based, including materials bearing on the nature and extent of injuries suffered:**

N/A

4. **For inspection and copying as under Rule 34, any insurance agreement under which any insurance business may be liable to satisfy all or part of a possible judgment in the action or to indemnify or reimburse for payments made to satisfy the judgment:**

N/A. The City of Wilmington is self-insured.

5. **Disclosure of Expert Testimony:**

Defendants have not retained any experts to date, but reserve the right to retain experts and supplement this response accordingly.

**CITY OF WILMINGTON LAW DEPARTMENT**

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/s/ Andrea J. F. Rhen , Esquire

Andrea J. F. Rhen, Esquire (DE Bar Id. No. 3831)  
800 N. French Street, 9<sup>th</sup> Floor  
Wilmington, DE 19801  
(302) 576-2175  
Attorney for Defendants

Dated: January 9, 2008

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FOR THE DISTRICT OF DELAWARE**

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| RICHARD ANDRUS,               | : |                    |
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| Plaintiff,                    | : |                    |
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| OFFICER STEPHEN BROCK; and    | : |                    |
| OFFICER JEFFREY GLENN,        | : |                    |
|                               | : |                    |
| Defendants.                   | : |                    |

**CERTIFICATE OF SERVICE**

I, Andrea J. F. Rhen, Esquire, hereby certify that on this 9<sup>th</sup> day of January, 2008, I filed the Defendants' Initial Disclosures Pursuant to Federal Rule of Civil Procedure 26(a)(1) with the Clerk of Court using CM/ECF which will send notification of such filing(s) and that this document is available for viewing and downloading from CM/ECF.

Michael W. Modica, Esquire  
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P.O. Box 437  
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**CITY OF WILMINGTON LAW DEPARTMENT**

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/s/ Andrea J. F. Rhen , Esquire

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